

ENVIRONMENTAL CONFLICT RESOLUTION EVALUATION REPORT TEMPLATE

Overview

The U.S. Institute for Environmental Conflict Resolution (the U.S. Institute) evaluates all of its environmental conflict resolution (ECR) processes. The evaluation system measures the degree to which best practice factors were in place and outcomes were achieved. The effectiveness of the ECR processes is primarily measured through 11 key indicators of effectiveness and 42 sub-indicators (Table 1). Feedback from the parties and their attorneys provide the data used to create these indicators.

The evaluation system also solicits and synthesizes quantitative evaluation feedback from the project managers and neutrals, and qualitative data from all respondents. The qualitative data includes respondents' thoughts, reflections, case summaries and lessons learned. Together this information is used to help the U.S. Institute learn from and improve its programs and services.

This evaluation dataset also provides the opportunity to investigate additional lines of inquiry such as exploring and explaining outcomes, and the relationships between variables, best practice factors and outcomes. Over time, the U.S. Institute hopes its program evaluation efforts will help increase the body of knowledge for and about the ECR field.

Report Format

The following ECR evaluation information/reporting plan provides an Evaluation Report Template that can be used to communicate measures the effectiveness of the ECR processes. The Report Template is organized into three sections.

- **SECTION 1** provides background information on the projects, the participants and the ECR processes.
- **SECTION 2** details the evaluation elements of the indicators and sub-indicators of effectiveness for the best practice factors, outcomes and impacts. Section 2 also summarizes time and cost information, and reports on cost-effectiveness indicators comparing the U.S. Institute processes with similar ADR processes and litigation.
- **SECTION 3** synthesizes quantitative evaluation feedback from the project managers and neutrals, and qualitative data from all respondents. The qualitative data includes respondents' thoughts, reflections, case summaries and lessons learned.

SECTION 1: BACKGROUND INFORMATION

PROJECT BACKGROUND	Setting from which the ECR project was derived (MQ4¹) – Check the most appropriate box only.		<i>Percent of all Cases (%)</i>
	Administrative case procedure Administrative hearing Policy making or rulemaking Litigation Legislative action Planning process Other		
	Issues that were involved in the controversy (MQ5) – Check all that apply.		<i>Percent of all Cases (%)</i>
	Business/commercial Labor/employment Civil rights Health and welfare Housing Education/schools Development, land use and facility siting Natural resource management and use of public lands Water resource, quality and supply Air quality Toxins, cleanup and hazardous materials		
PARTICIPANT CATEGORIZATION	Parties included in the process and parties not included but should have been (MQ9 and 10) Check all that apply.		
		<i>Percent of all Cases (%)</i>	
	Academic/Research Organization Tribal Federal Government State Government Local/Regional Government Business or Business Advocacy Community Organization or Public Interest Organization Non-Consumptive Resource Users or Advocacy Group Consumptive Resource Users or Advocacy Group Environmental Preservation or Conservation Organization Individuals or Other	Parties Included	Not Included

¹ “MQ4” refers to question 4 on the project manager questionnaire. The letter “N” is used to denote the neutral questionnaire, “P” is used to denote the parties questionnaire, and “A” denotes the parties’ attorney questionnaire.

PARTICIPANT CATEGORIZATION	Categories of participants in the controversy (PQ1) – <i>Check the most appropriate box only.</i>	Percent of all Cases (%)
	Elected official(s) Representative(s) of a governmental agency Representative(s) of a Native American tribe Representative(s) of a non-governmental organization Individual(s) representing himself/herself	
	Extent to which parties had previous experience with the following processes (PQ5)	Scale 0-10 ² Mean (Std) ³
	Negotiation Assisted (facilitated) negotiation Mediation Judicial settlement conference Public participation Litigation Rule making Arbitration Administrative proceedings	
TYPE OF PROCESS	Type of collaborative process used to address the controversy? (MQ8) <i>Check the most appropriate box only.</i>	Percent of all Cases (%)
	Facilitation of collaborative, agreement-seeking, or consensus building process Mediation of a dispute Neutral evaluation / Fact-finding	

² The mean ratings are based on an 11-point end-defined scale where a “0” indicates “totally disagree” and a “10” indicates “totally agree.” The 11-point scale allows respondents to indicate varying degrees of disagreement and agreement with the evaluation statements. The scale also provides a clear mid-point, were for example, a respondent can signal a mixed or an undecided response.

³ The standard deviation is given in parenthesis. The standard deviation shows how much the ratings are spread out around the mean. The larger the standard deviation the more spread out are the respondents’ ratings.

SECTION 2: INDICATORS OF EFFECTIVENESS

The following is a list of the 11 key indicators and 42 sub-indicators on which ECR processes are evaluated. These indicators are organized into two groups of best practice factors and process outcomes, agreements and impacts. The evaluation system measures the degree to which these best practice factors were in place and outcomes were achieved using these key indicators and sub-indicators of effectiveness.

Table 1. List of ECR Indicators of Effectiveness

ECR Best Practice Factors

1. Right parties with decision-making authority are effectively engaged
 - *Right parties are engaged (i.e. the process was fair and inclusive with the effected parties invited to participate).*
 - *Right parties are effectively engaged.*
 - *Representatives at the table had decision-making authority.*
2. Appropriate neutral guides the process
 - *Neutral(s) had the appropriate skills and knowledge to guide the process.*
 - *Parties were satisfied with the services provided by the neutral(s).*
3. Parties have the capacity to engage in the process
 - *The process was affordable for the parties.*
 - *The time required to effectively participate was within the parties' capacity.*
 - *The parties had the skills necessary to participate.*
4. Appropriate process scope and design is used
 - *Parties would use and would recommend other parties use this type of process again in a similar situation.*
 - *Parties would not have progressed as far using any other process.*
5. Best information used by the parties
 - *Best scientific information used by the parties.*
 - *Best legal information used by the parties.*
 - *Best economic information used by the parties.*
 - *Best quality of other information used by the parties.*

Process Outcomes, Agreements and Impacts

6. Parties communicate and collaborate
 - *Parties expressed their views and listened to others during the process.*
 - *Parties worked together during the process.*
7. Use of ECR narrows disagreements to key issues
 - *Parties gained a better understanding of each other's issues and positions.*
 - *Key issues were identified during the process.*
 - *The process narrowed the number of issues in dispute.*

8. Parties are satisfied with the process
 - *Parties are satisfied the process was fair and inclusive (all key interests were represented).*
 - *Parties are satisfied with the services provided by the neutral(s).*
 - *Parties are satisfied with the process scope and design.*
 - *Parties are satisfied with the key issues were addressed.*
 - *Parties are satisfied the interests of all parties were fully explored.*
 - *Parties are satisfied with the way they worked together.*
 - *Parties are satisfied with the options developed.*
 - *Overall parties are satisfied with the process.*
9. Parties reached complete and durable agreements
 - *No critical issues are left out of the agreement.*
 - *Parties have a shared understanding of the key issues in the agreement.*
 - *Parties feel the agreement can be implemented.*
 - *Parties feel the agreement has flexibility to sustain changing conditions.*
 - *Parties reached durable agreements.*
 - *Next steps were addressed.*
 - *Anything that could derail the agreement was addressed—nothing was left unresolved.*
 - *Existence of the agreement will help resolve additional issues if they arise.*
 - *Parties have a commitment to each other and the agreement.*
10. Benefits beyond agreement.
 - *Parties' capacity to communicate with each other is improved.*
 - *Parties' capacity to work together productively is improved.*
 - *Parties' relationships with each other are improved.*
 - *Parties' ability to effectively use ECR is improved.*
11. ECR was effective and efficient compared to litigation and similar alternative dispute resolution processes.
 - *Parties indicate the process was effective and efficient compared to a similar alternative dispute resolution process.*
 - *Parties' attorneys indicate the process was effective and efficient compared to litigation.*

BEST PRACTICE FACTORS

Right parties with decision-making authority are effectively engaged.	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<i>Scale 0-10 Mean (Std)</i>
<p><i>Definition: Right parties are those who have decision-making authority, are effected by or have a strong interest in the controversy, or who are needed to successfully implement an agreement. Effective engagement involves active participation in discussions and creative problem solving. Parties need to be engaged throughout the process; if additional 'right parties' are identified during the process, they should be added to the participants in the collaborative group.</i></p>	<p><u><i>Right parties are engaged</i></u></p> <p>All parties that were needed were part of the process from the start. (PQ7a)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u><i>Parties are effectively engaged</i></u></p> <p>All of the parties were fully engaged in the process. (Q7b)</p> <p>All of the parties that were needed continued to be engaged so long as their involvement was necessary. (PQ7e)</p> <p>Representatives of groups kept their members/constituents informed during the process. (PQ7f)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u><i>Parties had decision-making authority</i></u></p> <p>All of the parties (individuals and representatives of groups) participating in the process had the authority to accept or reject an agreement. (PQ7c)</p> <p><i>Sub-indicator summary statistics:</i></p>	
Summary statistics of overall indicator:		

Appropriate neutral(s) guides the process.	<u>Sub-indicators of Effectiveness and Associated Questions</u>	Scale 0-10 Mean (Std)
<p><i>Definition: An appropriate neutral is one who has skills and experience relevant to the process used, and sufficient substantive knowledge to understand the issues and the positions/interests of the parties. An appropriate neutral will facilitate/mediate impartially, provide clear direction and manage time well.</i></p>	<p><u>Parties feel the neutral(s) had the appropriate skills and knowledge to guide the process</u></p> <p>The neutral always understood the issues being discussed. (PQ9a)</p> <p>The parties followed the direction of the neutral. (PQ9b)</p> <p>The neutral was accessible to help with emerging issues and problems. (PQ9d)</p> <p>The neutral understood our concerns. (PQ9e)</p> <p>The neutral made sure that the concerns of all parties were heard. (PQ9f)</p> <p>The neutral made sure that the concerns of all parties were addressed. (PQ9g)</p> <p>The neutral help us manage our time well. (PQ9h)</p> <p>The neutral made sure that we all had a roadmap of where we were going with the process. (PQ9i)</p> <p>The neutral ensure that all parties were fully engaged in the process (PQ9j)</p> <p>When things got tense the neutral was always able to help us find ways to move ahead constructively. (PQ9k)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Parties overall satisfaction with the neutral(s)</u></p> <p>If I were in a similar controversy I would be happy to work with the neutral named on the left. (PQ6e-g)</p> <p>I was fully satisfied with the services provided by the neutral named on the left (PQ10h-j)</p> <p><i>Sub-indicator summary statistics:</i></p>	
Summary statistics of overall indicator:		

Parties have the capacity (skills, time and money) to engage in the process <i>Definition: Parties have sufficient money and time. Individuals who represent their parties in negotiations have the attitude and skills needed for active participation.</i>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<u>Scale 0-10 Mean (Std)</u>
	<p>The costs of participating in the process were affordable given our resources. (PQ8f)</p> <p>The time required for us to engage fully in the process was fully within our capacity. (PQ8g)</p> <p>The skills we have matched what was required for us to fully engage in the process. (PQ8h)</p>	
Summary statistics of overall indicator:		

Appropriate process scope and design is used <i>Definition: The process design and scope reflects the complexity of the controversy (including cultural complexity), the number of parties, and the relative importance of the issue (perhaps with some issues not amenable to negotiation). The process could include a single group or several working groups and a steering committee, shuttle diplomacy among groups, a hierarchical plan to address specific issues, or various other designs.</i>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<u>Scale 0-10 Mean (Std)</u>
	<p><u>Parties would use and recommend this type of process to others for similar situations</u></p> <p>My first choice would be to use this type of process again for similar situations. (PQ6c)</p> <p>I would recommend this type of process to others in a similar situation without hesitation. (PQ6d)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Parties feel they would not have progressed as far as they did using any other process</u></p> <p>We could not have progressed as far as we did using any other process of which I am aware. (PQ6a)</p> <p><i>Sub-indicator summary statistics:</i></p>	
Summary statistics of overall indicator:		

Best information (e.g., legal, technical, economic) used by parties <i>Definition: A process is used for obtaining information (scientific, legal, economic, cultural, etc.) and illuminating areas of agreement/disagreement among experts, and the results are presented in a manner appropriate to the knowledge levels and skills of the participants.</i>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<i>Scale 0-10 Mean (Std)</i>
	Quality of scientific information (PQ27a) Quality of legal information (PQ27b) Quality of economic information (PQ27c) Quality of other information (Q27d)---see PQ28 for details What was the other information that you referred to in the previous question? (PQ28)	
Summary statistics of overall indicator:		

ECR PROCESS OUTCOMES

Parties communicate and collaborate <i>Definition: Parties' listen and can articulate what others express; discussion focuses on the issues, not the parties.</i>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<i>Scale 0-10 Mean (Std)</i>
	<u>Parties communicate</u> At no time did one of the parties dominate to the detriment of the process or others. (PQ7d) I felt comfortable speaking candidly about our real interests. (PQ8a) <i>Sub-indicator summary statistics:</i> <u>Parties collaborate</u> I was fully satisfies with the way that the parties were able to work together. (PQ10b) <i>Sub-indicator summary statistics:</i>	
Summary statistics of overall indicator:		

Use of ECR narrows disagreements to key issues <i>Definition: Reduces the number of issue and focuses on high priority issues.</i>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<i>Scale 0-10 Mean (Std)</i>
	<p><u>Narrows the number of issues</u></p> <p>We were able to reduce the total number of issues we started with to a small number of differences. (PQ16a)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Focuses on high priority issues</u></p> <p>I was fully satisfied that we addressed all of the <u>key</u> issues. (PQ10d)</p> <p>We were able to <u>separate</u> substantive differences from differences that had more to do with factors such as communications style and personality. (PQ16b)</p> <p>We were able to identify the <u>key</u> differences that had to be addressed if the controversy was to be resolved. (PQ16c)</p> <p>I was fully satisfied that we fully explored the interests of all key parties in this controversy. (PQ10e)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Understanding of the issues improves</u></p> <p>I am now clear about the <u>core</u> of my disagreement with the other parties in this controversy. (PQ6b)</p> <p>We were able to <u>separate</u> substantive differences from differences that had more to do with factors such as communications style and personality. (PQ16b)</p> <p><i>Sub-indicator summary statistics:</i></p>	
Summary statistics of overall indicator:		

All parties are satisfied with the <u>process</u>.	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<u>Scale 0-10 Mean (Std)</u>
<p><i>Definition: All parties perceive an improvement in the relationships among parties, consider the process to have been fair and open, and (are satisfied with the services of the U.S. Institute?)</i></p>	<p><u>Satisfaction with the process—each of the following represent a sub-indicator</u></p> <p>I was fully satisfies with the way that the parties were able to work together. (PQ10b)</p> <p>I was fully satisfied that all of the key affected interests were represented. (PQ10c)</p> <p>I was fully satisfied that we addressed all of the key issues. (PQ10d)</p> <p>I was fully satisfied that we fully explored the interests of all key parties in this controversy. (PQ103)</p> <p>I was fully satisfied with the options we developed in working towards reaching an agreement. (PQ10f)</p> <p>I was fully satisfied with the process scope and design used in working towards developing and finalizing our agreement. (PQ10g)</p> <p>I was fully satisfied with the services provided by the neutral named on the left. (PQ10h)</p> <p>Overall, I am very satisfied with the process. (PQ10a)</p>	
Summary statistics of overall indicator:		

ECR AGREEMENT OUTCOMES

Parties reach <u>complete</u> and <u>durable</u> agreements	<u>Sub-indicators of Effectiveness and Associated Questions</u>	Scale 0-10 Mean (Std)
<p><i>Definition: Agreements involve plans, proposal, recommendations or settlements of disputes. Agreements are written documents signed by a representative of each party. No critical issues are left out of the agreement; anything that could derail the agreement is addressed. Agreements are specific and measurable; have attainable provisions addressing the relevant controversy, and meet relevant legal requirements</i></p>	<p><u>No critical issues are left out of the agreement</u></p> <p>Our agreement addresses all of the difficult issues and differences. (PQ18b)</p> <p>Sub-indicator summary statistics:</p>	
	<p><u>Parties have similar understanding of key terms in the agreement</u></p> <p>I am confident that all the parties have a similar understanding of key terms in the agreement. (PQ18e)</p> <p>Sub-indicator summary statistics:</p>	
	<p><u>Parties feel the agreement can be implemented</u></p> <p>I feel that the agreement can be implemented. (PQ20b)</p> <p>Sub-indicator summary statistics:</p>	
	<p><u>Parties feel the agreement is durable</u></p> <p>I expect that this controversy is over and I will not have to deal with it again. (PQ19b)</p> <p>Sub-indicator summary statistics:</p>	
	<p><u>The agreement has sufficient flexibility to sustain future changes</u></p> <p>Our agreement has sufficient flexibility to sustain future changes in underlying conditions. (PQ18a)</p> <p>Sub-indicator summary statistics:</p>	
	<p><u>Parties have commitment to each other and to the agreement</u></p> <p>I am confident that the parties have built a strong enough relationship with each other to ensure that the agreement will last. (PQ20c)</p> <p>Sub-indicator summary statistics:</p>	

Parties Reach Complete and Durable Agreements-Continued	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<u>Scale 0-10 Mean (Std)</u>
	<p><u>Next steps were addressed</u></p> <p>Our agreement includes responsibilities and roles for implementation. (PQ18d)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Anything that could derail the agreement is addressed—nothing was left unresolved.</u></p> <p>Nothing was left unresolved in our agreement. (PQ18c)</p> <p>I feel that the agreement takes full account of my or my group's interests. (PQ20a)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Existence of the agreement will help resolve additional issues if they arise</u></p> <p>I expect to be dealing with this controversy again but, with the agreement in place, it will not be difficult to resolve issues. (PQ19c)</p> <p><i>Sub-indicator summary statistics:</i></p>	
Summary statistics of overall indicator:		

Benefits beyond agreement: Parties <u>capacity</u> to manage or resolve conflicts is <u>improved</u>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<u>Scale 0-10 Mean (Std)</u>
<p><i>Definition: Disputes are addressed and resolved sooner; need for assistance is reduced.</i></p>	<p><u>Parties' capacity to communicate is improved</u></p> <p>I can better communicate my concerns in a way that is more likely to lead to resolution. (PQ11d)</p> <p>I can now express my interests on controversial subjects in a more effective way. (PQ12i)</p> <p>I can better communicate my concerns in a way that is more likely to lead to resolution of the issues. (PQ12j)</p> <p>It is now easier to discuss controversial issues with the other parties who participated in this process. (PQ12g)</p> <p>In comparison with my experience before the process, I can better communicate my needs and concerns in a way that does not cause others to be defensive. (PQ12e)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><u>Parties' capacity to work together productively is improved.</u></p> <p>I am much better at managing conflicts with parties with whom I have consistently had disagreements than I was before the process. (PQ12d)</p> <p>I am better able to address issues closer to the point at which they arise than I was before the process. (PQ12b)</p> <p>I can now resolve significant problems with the other parties without needing the assistance of a third party neutral. (PQ11b)</p> <p>This experience has made me a more effective problem-solver. (PQ12k)</p> <p><i>Sub-indicator summary statistics:</i></p>	

Parties' <u>capacity</u> to manage or resolve conflicts is <u>improved</u> - <i>Continued from previous page</i>	<u>Sub-indicators of Effectiveness and Associated Questions</u>	<i>Scale 0-10 Mean (Std)</i>
	<p><i>Improvement in relationships among parties</i></p> <p>I can now work productively with all of the parties on other controversial issues. (PQ11c)</p> <p>In comparison with my experience before the process, I can work much more productively with other parties on issues where we have disagreements. (PQ12c)</p> <p>I can now meet with all of the other parties to discuss issues of concern. (PQ11a)</p> <p><i>Sub-indicator summary statistics:</i></p> <p><i>Parties' ability to effectively use ECR is improved</i></p> <p>In the future I am more likely to know when a collaborative process can help us reach agreements or resolve controversies or disputes. (PQ12f)</p> <p>In comparison with my experience before the process, I am better able to address significant issues before they escalate. (PQ12a)</p> <p><i>Sub-indicator summary statistics:</i></p>	
Summary statistics of overall indicator:		

Summary of other benefits (i.e., Parties are asked to *describe* any other benefits to them or their organization).

ECR Process Time and Costs

Timeline for the controversy and the process

<i>Average number of months</i>	<i>Controversy/Process Timeline</i>
	since the controversy became an issue for the parties (PQ2-with calc).
	since parties became involved in the controversy (PQ3-with calc).
	the parties were engaged in working on resolving the project or controversy using this process (PQ4)
	the parties' attorneys were involved in the case (AQ26)
	the parties' attorneys spent in the mediation process (AQ27)

<i>Average number of sessions</i>	<i>Process Sessions</i>
	held in conjunction with the process (NQ3)

Average number of hours spent by the neutral(s) on the process

<i>Average number of hours</i>	<i>Neutral(s) time spend on the project</i>
	number of hours billed (NQ4a)
	number of unbilled hours (NQ4b)

Average number of hours spent by parties and their attorneys directly and indirectly on the process.

<i>Activities</i>	<i>Average Number of Hours</i>					
	<i>Actual Participants (PQ22)</i>	<i>Senior Personnel (PQ23)</i>	<i>Support Staff (PQ24)</i>	<i>Project Volunteers (PQ25)</i>	<i>Parties' Attorneys (AQ28b-d)</i>	<i>Total Process Hours</i>
Collaborative process meetings and follow-up						
Preparing for the process						
<i>Average total hours</i>						

Estimate of the participants (parties) costs not including the value of individuals' time? (PQ26)

<i>Category</i>	<i>Estimated Total Costs</i>	<i>Estimated Average Costs</i>
Any payment made as part of the agreement		
Attorneys and other legal costs		
Technical assistance and advice		
Contribution towards the services of the neutral		
Room or facilities rental, catering for meetings, etc.		
Accommodation and meals for travel		
Travel		
Expenses to assist volunteers to participate in the process		
Other (please specify)		
Other (please specify)		
<i>Total</i>		

Other cost information:

Which organization(s) provided primary financial sponsorship for the project? (MQ6)

<i>Organization(s) code</i>

COST-EFFECTIVENESS – COMPARED TO SIMILAR ECR PROCESSES

Have you previously been engaged in a process that you would regard as similar to this one where you had a similar role? (PQ13)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Yes	
No	

Can you briefly describe that other process and tell us when it occurred? (PQ14)

Parties' perspective on how the process compares with similar alternative dispute resolution processes	<i>Evaluation questions</i>	<i>Scale 0-10 Mean (Std)</i>
	<p>The current controversy required much more <u>time</u> from my organization. (PQ15a) (Reverse)</p> <p>The collaborative process for the current controversy <u>cost</u> a lot more than the other process. (PQ15b) (Reverse)</p> <p>The agreement for the current controversy will <u>cost</u> a lot more to implement. (PQ15d) (Reverse)</p> <p>I think that the agreement for the current controversy will prove more durable. (PQ15e)</p>	
Summary statistics of overall indicator		

COST-EFFECTIVENESS – COMPARED TO LITIGATION

Do you feel that time was saved by resolving the case in mediation as compared with continuing with litigation? (AQ30)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Yes	
No	

The attorney's perspective on whether mediation was more or less costly for the client. (AQ31) – Check as appropriate

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
More costly	
Less costly	
About the same	

What do you estimate the cost difference to be between litigating this case and the mediation that was undertaken? (AQ32)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Cost difference (+/-)	

Sources of differences in costs (AQ33)

<i>Mean Cost Difference (%)</i>	<i>Cost Category</i>
	attributable to attorney fees
	attributable to costs of expert witnesses.
	attributable to other costs

Specify:

SUPPORTING FEEDBACK FROM THE PARTIES' ATTORNEYS

Attorneys' perspective on whether mediation helped reduce the number of contested legal issues in the case. (AQ22)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Yes	
No	

Description of how mediation helped. (AQ23)

Were you satisfied with the speed with which the dispute was resolved in mediation? (AQ29)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Yes	
No	

SECTION 3: ADDITIONAL EVALUATION FEEDBACK

Case Summary from the Neutral(s)

Description of the central issues in the controversy and what the parties' interests in these issues were. (NSQ2)

The main benefits from the collaborative process to the parties engaged in the controversy. (NSQ3)

Main benefits to citizens from the collaborative process. (NSQ4)

Lessons that should be recorded from the collaborative process (i.e. lessons about determining which controversies are appropriate for collaborative processes and about the design and implementation of these processes). (NSQ5)

General Feedback from the Parties

Do you have any comments that you would like to add? If so, please use the space below and additional pages if you like. We are interested in you thoughts and reflections on how these processes can be improved. (PQ29)

Were there any other benefits to you or your organization from participating in the process other than those benefits suggested in several earlier questions? (PQ21)

General Feedback from the Project Managers

Do you have any comments that you would like to add? If so, please use the space below and additional pages if you like. (MQ26)

Status of Process/Agreement (at the time of the conclusion of process evaluation)

Status of the controversy at the conclusion of the process – Project Manager feedback (MQ7) – Check the most appropriate box only

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
No agreement – going to litigation/administrative appeal	
No agreement – unlikely to go to litigation/be appealed	
Agreement signed by negotiators	
Agreement signed by final decision makers	
Other	

Status on an agreement at the conclusion of the process – Neutral feedback (NQ25) – Check the most appropriate box only

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
No agreement on any issues.	
Yes, reached agreement.	
Agreement on some issues.	
Agreement on most issues.	
Agreement reached by participants but subject to approval by others.	

Status on implementation of the agreement as known by the Project Manager (MQ22)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Yes	
No	

Supporting evidence (MQ23)

Problems or barriers to implementation from the perspective of the Project Managers (MQ24)

Status on implementation of the agreement as known by the Neutral (NQ30)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Yes	
No	
Partly	
Don't Know	

Supporting evidence (NQ31)

What is the current status of the process in which you were involved? (PQ 17) – Check the most appropriate box only

Definition: "Agreement" includes collaborative decisions in the form of plans, proposals, recommendations or signed formal agreements to, for example, settle a dispute.

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
<i>Agreement <u>not</u> reached</i>	
Given up without much progress.	
We are finished for now, but we continue to work on our differences.	
We failed to reach a satisfactory agreement and are going to court.	
<i>Agreement reached</i>	
We have reached an agreement but the final decision makers have yet to sign.	
Everyone has signed the agreement, but we have not yet started to implement it.	
Everyone has signed the agreement, and we are in the process of implementing it.	
Everyone has signed the agreement, and it has been implemented as agreed.	
Everyone has signed the agreement, and it has been implemented with agreed changes.	

Date the participants signed the agreement (NQ28)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Month	
Year	

Date the decision-makers signed the agreement (NQ29)

<i>Response Category</i>	<i>Percent of all Cases (%)</i>
Month	
Year	

Other factors pertinent to reaching agreements	<i>Evaluation questions</i>	<i>Scale 0-10 Mean (Std)</i>
	<p>When we started I felt that there was a reasonable change of resolving the controversy using this approach. (PQ8b)</p> <p>All of the parties were sufficiently flexible on all the key issues. (PQ8c)</p> <p>We did not have trouble scheduling meetings with other parties. (PQ8e)</p> <p>We came close to an agreement, signing was delayed. (PQ16d)</p> <p>When we came close to an agreement, signing was prevented because some parties had not sufficiently consulted their organization/constituent group. (PQ16e)</p>	
Progress parties made on the issues under dispute – Project Manager’s perspectives	<i>Evaluation questions</i>	<i>Scale 0-10 Mean (Std)</i>
	<p>They are now able to fully collaborate with the parties that were involved in the dispute. (MQ20a)</p> <p>They are now able to fully collaborate with other parties to reduce the frequency of disputes. (MQ20b)</p> <p>They are now able to fully collaborate with other parties to reduce the intensity of disputes. (MQ20c)</p> <p>The parties narrowed the number of issues under dispute. (MQ20d)</p> <p>The parties narrowed this dispute to only key issues. (MQ20e)</p> <p>The parties identified issues that required another approach. (MQ20f)</p> <p>Other evidence that parties are closer on issues. (MQ20g)</p> <p>Other evidence that parties can now collaborative better. (MQ20h)</p>	

Completeness of the agreement – Project Manager’s Perspectives	<i>Evaluation questions</i>	<i>Scale 0-10 Mean (Std)</i>
	<p>They are now able to fully collaborate with the parties that were involved in the dispute. (MQ20a)</p> <p>They are now able to fully collaborate with other parties to reduce the frequency of disputes. (MQ20b)</p> <p>They are now able to fully collaborate with other parties to reduce the intensity of disputes. (MQ20c)</p> <p>The parties narrowed the number of issues under dispute. (MQ20d)</p> <p>The parties narrowed this dispute to only key issues. (MQ20e)</p> <p>The parties identified issues that required another approach. (MQ20f)</p> <p>Other evidence that parties are closer on issues. (MQ20g)</p> <p>Other evidence that parties can now collaborative better. (MQ20h)</p> <p>Other evidence that parties are closer on issues. (MQ20g)</p> <p>Other evidence that parties can now collaborative better. (MQ20h)</p>	
Progress parties made on the issues under dispute – Project Manager’s perspectives	<i>Evaluation questions</i>	<i>Scale 0-10 Mean (Std)</i>
	<p>The agreement includes sufficient resources for implementation. (MQ21a)</p> <p>The agreement provides sufficient flexibility to adapt to changing circumstances. (MQ21b)</p> <p>The agreement provides workable processes for adapting to changing circumstances. (MQ21c)</p> <p>No critical issues are left unresolved. (MQ21d)</p> <p>Agreement has attainable provisions addressing the relevant controversy. (MQ21e)</p> <p>Agreement meets relevant legal requirements. (MQ21f)</p> <p>Agreement is specific. (MQ21g)</p> <p>Everything that would derail the agreement is addressed. (MQ21h)</p> <p>The agreement includes sufficient resources for implementation. (MQ21a)</p>	